STATE LAW LIBRARY OF MONTANA

Joseph P. Mazurek Justice Building
215 North Sanders Street
PO Box 203004
Helena, MT 59620-3004

Website: courts.mt.gov/library
Email: mtlawlibrary@mt.gov
Phone: 406-444-3660
Fax: 406-444-3603

Legislative History – Montana Session Law

Chapter: 320 Session L: 1969

Bill Number: HB 508

Checklist of Bill History

History and Final Status Sheet ☐
Introduced Bill ☐
Fiscal Note ☐
Third Reading Bill ☐
Final Version of Bill ☐

House	Senate
Committee: Public Health, Welfare & Safety	Committee: Public Health, Welfare & Safety
Hearing Date(s):	Hearing Date(s):
Committee Report: 2/11/1969	Committee Report: 2/26/1969

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: SK Marshall

Date: 1/23/2025

Notes: Any committee reports or recordings will be held by the Montana Historical Society.

Laws and Resolutions

OF THE

STATE OF MONTANA

PASSED BY THE

Forty-first Legislative Assembly

In Regular and Extraordinary Sessions

Held at Helena, the Seat of Government of Said State,
Regular Session
January 6, 1969 to March 6, 1969
Extraordinary Session
March 10, 1969, to March 19, 1969

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.
3

set forth in section 82-2701. He shall solicit rehabilitation loans, *educational funds, economic, health, and housing funds* from various sources for the purpose of enabling deserving Indians to become self-sufficient. Interest rates on such loans shall not exceed four per cent (4%) and such loans shall be disbursed through *various federal programs established for these purposes.*

He shall also do everything possible to bring about adequate housing *and sanitation for Indians, whether they reside on reservations or not, and will co-ordinate such activities whenever necessary* with the department of Indian affairs of the United States, the United States government and the state of Montana.

He shall acquaint himself with the problems confronting the Indians of Montana and he shall advise the legislative and executive branches of the state of Montana of such problems and shall make recommendations for the alleviation thereof. He shall also serve the Montana delegation in the federal Congress as an adviser and intermediary in the field of Indian affairs*; and shall act as spokesman for representative Indian organizations and groups, public and private, whenever such support is solicited.*"

Approved: March 11, 1969.

CHAPTER NO. 320

An Act Providing for the Adoption of Orderly Procedures for Establishing Desirable Employment Practices for Registered Professional and Licensed Practical Nurses Employed in Health Care Facilities; Establishing Procedures for Developing Employment Standards; Providing Rule Making Authority to the State Board of Health.

Be it enacted by the Legislative Assembly of the State of Montana:

Employment practices for registered and licensed practical nurses.

Section 1. The purpose of this act is to encourage effective measures to assure uninterrupted continuation of sufficient competent nursing care of the ill and infirm in the state of Montana, and further to encourage the practice of mutually and peacefully agreeing upon the establishment and maintenance of desirable employment

practices between nurse employees, professional and practical, and their health care facility employers, either public or private.

Section 2. **Definitions.** As used in this act, unless the context clearly requires otherwise:

"Appropriate unit."

(1) "Appropriate unit" means a homogenous group of employees (as herein defined) of a health care facility having similar duties and qualifications, determined pursuant to section 4 of this act.

"Employee."

(2) "Employee" means a registered professional or licensed practical nurse performing services for compensation for a health care facility, but does not include a member of a religious order assigned to a health care facility by the order as a part of her obligation to the order.

"Health care facility."

(3) "Health care facility" means a hospital or nursing home, or other agency or establishment, employing employees as defined in this act, whether operated publicly or privately, having as one of its principal purposes the preservation of health or the care of sick or infirm individuals or both.

"Board."

(4) "Board" or "board of health" means the state board of health.

"Strike."

(5) "Strike" shall mean any work stoppage caused by the employees of a health care facility as defined in section 2 of this act, that interferes with the operation of the health care facility or affects the care of patients in the health care facility.

Improper employment practices.

Section 3. It is an improper employment practice for a health care facility to do one or more of the following:

(1) Interfere with or restrain or coerce employees in any manner in the exercise of their right of self organization;

(2) Initiate, create, dominate, contribute to or interfere with the formation or administration of any employee organization that has collective bargaining as one of its principal functions;

(3) Discriminate in regard to hire terms or conditions

of employment when a purpose of such is to discourage membership in an employee organization that has collective bargaining as one of its principal functions;

(4) Refuse to meet and bargain in good faith with the duly designated representatives of an appropriate bargaining unit of its employees. For the purpose of this subsection, it is a requirement of bargaining in good faith that the parties be willing to reduce in writing, and have their representative sign, any agreement arrived at through negotiations and discussion;

(5) Unilaterally exclude from work or prevent from working, or discharge any one or more employees, when the purpose of such action is in whole or in part, to interfere with or coerce or intimidate an employee in the exercise of rights assured in this law.

Appropriate unit.

Section 4. (1) The composition of an appropriate unit in a health care facility, for purposes of this law, may be determined by mutual consent between such facility and the employees thereof.

(2) In the event no such mutual consent is available, then either the facility, or representatives of employees may apply to the state board of health and said board, through a duly designated agent, shall make a determination of the composition of such an appropriate unit.

(3) In determining such appropriate unit professional employees may not be included in the same unit with nonprofessional employees unless a majority of professional employees in a proposed unit desire such inclusion. Weight shall be accorded similarity of duties, licensure, and conditions of employment, among other relevant factors, in determining an appropriate unit.

Bargaining organization.

Section 5. An employee organization is considered to be the duly designated representative of all the employees in an appropriate unit for the purpose of section 3 of this act if it can show evidence that bargaining rights have been assigned to it by a majority of the employees in that unit.

Determination of right to bargain.

Section 6. (1) If the right of an employee organization to represent the employees in an appropriate unit is questioned by the authority in charge of the facility employing the employees, the employee organization may

petition the board of health for a determination. The board of health, or his representative, shall investigate and determine the composition of an appropriate unit, if such determination has not previously been made under section 4 of this act, and shall determine the representative, if any, designated to represent the employees in the appropriate unit.

(2) An employee organization found by the state board of health to be authorized by at least thirty percent (30%) of the employees in an appropriate unit may apply for an election by secret ballot to determine its right to represent the employees in that unit. If more than one employee organization claims to represent employees in that unit, the state board of health may conduct an election by secret ballot to determine which is authorized to represent the unit. If any employee organization receives a majority of the valid votes cast at the election, it is considered to be authorized to represent all the employees in that unit for the purpose of section 3 of this act.

(3) A determination under this section remains in effect for at least one (1) year and until either the health care facility or an employee organization shall apply for a redetermination.

Powers of board.

Section 7. The board of health may: (1) Set the time and place for hearings for determination of the composition of appropriate units when requested to make such determination under subsection 2, section 4, or subsection 1, section 6 of this act.

(2) Determine, on its own motion, by holding hearing or conducting such investigations as it thinks necessary, general classifications for health care facilities and appropriate units. When such determination has been made hereunder and when an application has been made by a health care facility or an employee organization for a specific determination as to it, the board may make such determination on the basis of such general classification. The health care facility or employee organization may, within thirty (30) days after notice to it of such determination, file a request for a hearing upon written petition which shall set forth the facts which it believes remove it

from such general classification and hearing shall be held on such petition.

(3) Adopt and promulgate rules and regulations as to times and places for hearing and notice thereof so as to provide adequate notice and opportunity to be heard to all interested parties; as to elections; and so as to carry into effect the provisions of this act.

Proceedings to restrain improper practices.

Section 8. The board of health, a health care facility or an employee organization qualified to apply for an election under section 6 of this act may, in the name of its members, or in its name, institute proceedings to restrain the commission of any improper practice listed in section 3 of this act or appeal from any determination by the board. The proceeding may be instituted in the district court for any county in which the health care facility does business. The court in such an action may grant mandatory or prohibitory relief, or, on appeal, adjudicate whether the board has acted in abuse of discretion or upon arbitrary or discriminatory rules or regulations, in which event the court may reverse or modify such determinaiton.

When unlawful to strike.

Section 9. It shall be unlawful for any employee of a health care facility as defined in section 2 of this act to participate in a strike if there is another strike in effect at another health care facility within a radius of 150 miles. Employees of a health care facility as defined in section 2 of this act or their duly elected representative must give the health care facility thirty (30) days written notice of any strike by them and must specify in the notice the day the strike is to begin.

Severability clause.

Section 10. This act shall be severable, and should any part or provision hereof be held to be unconstitutional such declaration will not invalidate the remaining provisions hereof.

Approved: March 11, 1969.

CHAPTER NO. 321

An Act to Provide for the Support of the Government of Montana for the Years 1969 and 1970, Providing a Severability Clause and an Effective Date.

HOUSE JOURNAL

OF THE

Forty-first Legislative Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 6, 1969 and
Ending March 6, 1969, and
Commencing in Extraordinary Session March 10, 1969, and
Ending March 19, 1969.

Thomas E. Mooney
Chief Clerk

Rosella Wilson
Journal Clerk

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.

3

No.	Title of Bill	Page
	of compensation to the immediate surviving family of persons killed in action in the Vietnam theater; and providing for the administration and the payment of claims by the Board of Examiners."	183, 218, 288, 298.
508	Introduced by Fasbender, Nyquist, Prevost, Brownlee, White, Eggebrecht, Gunderson, Perry, Warfield, Yardley, Speare, Stratton, Haines, Polich, Nichols, Feda: A bill for an act entitled: "An act providing for the adoption of orderly procedures for establishing desirable employment practices for registered professional and licensed practical nurses employed in health care facilities: establishing procedures for developing employment standards: providing rule making authority to the State Board of Health."	183, 459, 482, 495, 502, 510, 720, 761, 829, 830, 851.
509	Introduced by Murphy, Rygg, Lundgren: A bill for an act entitled: "An act to amend Sections 16-4301 through 16-4313, R.C.M. 1947, relating to public hospital districts, providing for financing hospital facilities."	183, 309, 370, 388, 390, 392, 425, 641, 656, 744, 747, 781, 883.
510	Introduced by Himsl, Polich, Rygg, East, Fasbender, Gilligan: A bill for an act entitled: "An act amending Section 92-413, R.C.M. 1947, to include unmarried full-time students in accredited schools under the age of twenty-one years in the definition of beneficiary; and amending Section 92-417, R.C.M. 1947, to include 'dependent' stepchildren within the definition of child; both definitions being in the workmen's compensation act."	184, 232, 262, 277, 278, 293, 582, 583, 603, 604, 620, 641.
511	Introduced by Cranston, Harlow: A bill for an act entitled: "An act to authorize the State Board for Vocational Education to lease and transfer buildings and/or lands financed in whole or in part by the state to school districts to be used for post-secondary vocational-technical education."	184, 419, 453, 467, 468, 480, 495, 502, 506, 720, 727, 747, 781, 856.
512	Introduced by Brownlee by request: A bill for an act entitled: "An act prohibiting officers, agencies, and departments of the State of Montana and of its political sub-divisions from entering into collective bargaining contracts with labor unions or other employee associations, or to delegate any authority to such, or to require membership in such as a condition or term of employment, pro-	

a scheduled increase on a graduated basis in the oil producers' license tax, changing the tax classification of oil and gas net proceeds, and providing a scheduled reduction in the percentage of value of such net proceeds to be used as the basis for imposition of taxes thereon." Referred to Committee on Ways and Means.

House Bill No. 503 introduced by Schoonover: A bill for an act entitled: "An act to create in the earmarked revenue fund of the State of Montana a motoboat certificate identification account; requiring all fees collected under Section 69-3504, R.C.M. 1947, to be deposited in this account and be used only for the administration and enforcement of Title 69, Chapter 35, R.C.M. 1947; and requiring the Fish and Game Commission to enforce the provisions of Title 69, Chapter 35, R.C.M. 1947; amending Sections 69-3504 and 69-3517, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 504 introduced by Fasbender, Asbjornson, White, Egan, Hemstad, Gunderson, Staigmiller: A bill for an act entitled: "An act to provide a privilege tax upon possession and use of tax-exempt property; providing exceptions thereto; fixing the rate of such tax and credit against tax; providing for assessment, collection and distribution of said taxes; providing penalties for failure to pay the tax and preserving constitutional exemption, and providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 505 introduced by Bardanouve: A bill for an act entitled: "An act amending Section 46-802, R.C.M. 1947, to provide that the stock inspector make his certificate of inspection or livestock permit and the market consignment or transportation permit in quadruplicate; to provide for inclusion in the certificate of a statement regarding reason for removal or shipment of the animal and the name and address of any new owner; to provide that a copy of the certificate and permit be delivered to the county assessor of the county of origin." Referred to Committee on Livestock and Ranges.

House Bill No. 506 introduced by Polich, Stratton, Nyquist, Gilligan, Jordan, Jurcich, Kosena: A bill for an act entitled: "An act to amend Section 25-403, R.C.M. 1947, by increasing from three dollars ($3) per day to five dollars ($5) per day the compensation for jurors in courts not of record." Referred to Committee on Judiciary.

House Bill No. 507 introduced by Falkenstern, McCulloch, Whitney, Aspevig, Teeple: A bill for an act entitled: "An act providing an honorarium for veterans who have served in the military forces during the Vietnam war and in the Vietnam theater; providing additional compensation for persons held as prisoners of war by the enemy; providing for the payment of compensation to the immediate surviving family of persons killed in action in the Vietnam theater; and providing for the administration and the payment of claims by the Board of Examiners." Referred to Committee on Research and Resources.

House Bill No. 508 introduced by Fasbender, Nyquist, Prevost, Brownlee, White, Eggebrecht, Gunderson, Perry, Warfield, Yardley, Speare, Stratton, Haines, Polich, Nichols, Feda: A bill for an act entitled: "An act providing for the adoption of orderly procedures for establishing desirable employment practices for registered professional and licensed practical nurses employed in health care facilities: establishing procedures for developing employment standards: providing rule making authority to the State Board of Health." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 509 introduced by Murphy, Rygg, Lundgren: A bill for an act entitled: "An act to amend Sections 16-4301 through 16-4313, R.C.M. 1947, relating to public hospital districts, providing for financing hospital facilities." Referred to Committee on Business and Industry.

The Speaker called for the roll call vote and the substitute motion failed by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Brand, Christiansen, Egan, Fasbender, Fleming, Gerke, Gilligan, Gunderson, Hageman, Hall, Harlow, Kendall, Knudsen, Kolstad, Laas, Loble, Melcher, Nugent, Prevost, Robbins, Schoonover, Speare, Staigmiller, Steele, Teeple, Watt, Yardley. Total 30.

Noes: Asbjornson, Aubert, Brownlee, Burnett, Campbell, Cashmore, Clemow, Combs, Cranston, Dye, East, Fagg, Falkenstern, Feda, Feisthamel, Forester, Giesick, Glennen, Goan, Harrison, Healy, Hemstad, Himsl, M. E. Holtz, Johnston, Jordan, Kosena, Kvaalen, Lee, Lombardi, Lund, Lundgren, Marks, Mather, McCulloch, McGrath, Mehrens, Murphy, Newby, Nichols, Nyquist, Patrick, Payne, Perry, Pierce, Polich, Romney, Rygg, Scott, Shively, C. M. Smith, E. B. Smith, Spahr, Spilde, Stratton, Swan, Ulmer, Warfield, White, Whitney, Pat Williams, W. G. Williams, Wolf, Worden, Zimmer, Mr. Speaker. Total 66.

Paired: Casey, no; R. W. Holtz, aye. Total 2.

Absent or not voting: Eggebrecht, Jurcich, Wayrynen. Total 3.

Excused: Haines, Stimatz, Woodard. Total 3.

Thereupon the committee report was adopted.

February 11, 1969

Mr. Speaker: We, your Majority Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 508, respectfully report as follows: That House Bill No. 508 do not pass.

CASHMORE
CAMPBELL
CRANSTON
FAGG
HIMSL
McCULLOCH
SHIVELY
ASBJORNSON, Chairman

February 11, 1969

Mr. Speaker: We, your Minority Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 508, respectfully report as follows: That House Bill No. 508 do pass.

PREVOST
LEE
HEALY
KOSENA
STEELE
ZIMMER
FEDA

Asbjornson moved for adoption of the Majority Committee report.

As a substitute motion, Prevost moved for adoption of the Minority Committee report. Prevost requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient Seconds arose.

C. Smith moved the previous question. Motion failed.

After further debate, the Speaker called for the roll call vote and the Minority report was adopted by the following vote:

Ayes: Aspevig, Aubert, Baeth, Bardanouve, Brand, Brownlee, Burnett,

Christiansen, Clemow, Combs, Egan, Eggebrecht, Fagg, Fasbender, Feda, Fleming, Gerke, Gilligan, Glennen, Gunderson, Hageman, Hall, Harlow, Harrison, Healy, Hemstad, M. E. Holtz, Johnston, Jordan, Jurcich, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Loble, Lombardi, Lund, Marks, Mather, McCulloch, McGrath, Mehrens, Melcher, Murphy, Newby, Nugent, Nyquist, Payne, Perry, Pierce, Polich, Prevost, Robbins, Romney, Schoonover, Scott, Shively, E. B. Smith, Spahr, Speare, Staigmiller, Steele, Stratton, Swan, Teeple, Warfield, Watt, Wayrynen, White, Pat Williams, W. G. Williams, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Asbjornson, Campbell, Cashmore, Cranston, East, Falkenstern, Feisthamel, Forester, Goan, Himsl, Patrick, Rygg, Whitney. Total 13.

Paired: Casey, no; Stimatz, aye; R. W. Holtz, aye; Ulmer, no. Total 4.

Absent or not voting: Dye, Giesick, Kvaalen, Lundgren, Nichols, C. M. Smith, Spilde. Total 7.

Excused: Haines, Woodard. Total 2.

MESSAGES FROM THE SENATE

February 10, 1969

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 3, introduced by Ulmer, Lund and Shively was this day recommended for non-concurrence by the Committee on Banking and Insurance and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 10, 1969

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolutions were this day read third time and passed, titles and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 131, introduced by Turnage, Mahoney.

Senate Bill No. 78, introduced by Rehberg, et al

Senate Bill No. 161, introduced by Hibbard

Senate Bill No. 283, introduced by Lynch, Shugrue and Reardon

Senate Bill No. 185. introduced by Turnage

Senate Joint Resolution No. 15, introduced by Gilfeather, et al

Senate Joint Resolution No. 18, introduced by Manning.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

A motion was made by Pierce, that since the House had killed House Bill No. 543, thereby saving the state of Montana he cost of printing such bill, that each member of the House should contribute 25c toward the $17.00

(Material in brackets denotes cancelled type.)

And as amended, do pass.

That the Committee rise and report.

RYGG, Chairman

Rygg moved for adoption of the Committee of the Whole report.

As a substitute motion, Hall moved that House Bill No. 481 be segregated from the Committee of the Whole report. Motion carried.

As a substitute motion, Spahr moved that House Bill No. 300 be segregated from the Committee of the Whole report. Motion failed.

Thereupon, the Committee of the Whole report was adopted as amended.

MOTIONS AND RESOLUTIONS

Murphy moved that House Bill No. 513 be taken from Committee on Judiciary and be rereferred to Committee on Townships and Counties. Motion carried.

February 12, 1969

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 19, 37, 55, 150, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 3:10 o'clock, p.m., delivered to the Governor for his approval.

BROWNLEE, Vice-Chairman

Casey moved that the House adjourn until 12:30 p.m., February 13, 1969. Motion carried.

JAMES P. LUCAS, Speaker

THOMAS E. MOONEY, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 13, 1969

House convened, pursuant to adjournment, at 12:30 noon.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members were present except Haines, R. W. Holtz, Mather, Stimatz, Woodard, excused; Fagg, absent.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-eighth Legislative Day, find the same to be correct.

MURPHY, Vice-Chairman
HALL

February 12, 1969

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills No. 342, 402, 360, 508, 541, 436, 574, House Joint Resolution

No. 23, beg leave to report that the same have this date been returned from the printer correctly printed.

BROWNLEE, Vice-Chairman

February 13, 1969

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 138, beg leave to report that the same have this date been returned from the printer correctly printed.

BROWNLEE, Vice-Chairman

February 13, 1969

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 256.

BROWNLEE, Vice-Chairman

February 13, 1969

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 531, 372, 267, 521 and House Joint Resolution No. 27.

BROWNLEE, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 13, 1969

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Phyllis B. Burchett, Proofreader, be removed from the payroll effective February 9, 1969.

HARRISON, Chairman

Report adopted.

February 13, 1969

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142 be concurred in.

MURPHY, Chairman

Report adopted.

February 13, 1969

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 146, respectfully report as follows: That Senate Bill No. 146 be concurred in.

MURPHY, Chairman

Report adopted.

February 13, 1969

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 122, respectfully report as follows: That Senate Bill No. 122 be amended as follows:

Amend on page 1, line 6, in the title of the original bill, being page 1, line 3, in the title of the printed bill, after the word and punctuation "Color," by striking the word "[age]"

Further amend on page 2, line 11, of the original bill, being page 2,

That House Bill No. 511 be amended in the title in line 3 of the printed bill, being line 7 of the original bill by striking the words "and transfer"

And be further amended in Section 1, line 12 of the original bill, being section 1, line 1 of the printed bill by adding after the word and punctuation "Montana," the following material, "as to certain lands or buildings owned by it,"

And further amend section 2, line 21 through 26 of the original bill, being section 2, lines 1 through 6 of the printed bill by striking the material therein in its entirety.

And as so amended, do pass.

That House Bill No. 445 do pass.

That House Bill No. 291 do pass.

That House Bill No. 290 do pass.

That House Joint Resolution No. 16 do pass.

That House Joint Resolution No. 22 do pass.

That House Bill No. 206 do pass.

That House Bill No. 408 do pass.

That House Bill No. 465 do pass.

That House Bill No. 342 be amended in the title by inserting at the end of line 5, page 1 of the original bill, being line 3 of the title, page 1 of the printed bill after the words "use of" the word "certain".

And further amend page 1, line 14, section 1, subsection (1) of the original bill, being page 1, line 3, section 1, subsection (1) of the printed bill after the word "aircraft" by adding the following words "weighing over 12,500 pounds"

And further amend page 1, line 15, section 1, subsection (1) of the original bill, being page 1, line 4, section 1, subsection (1) of the printed bill by adding after the word "aircraft" the following words "weighing over 12,500 pounds"

And further amend page 1, line 17, section 1, subsection (2) of the original bill, being page 1, line 6, section 1, subsection (2) of the printed bill by striking the following material " 'City' means any incorporated city or town." and inserting in lieu thereof the following material "As used in this act 'City' means a city of the first class and 'County' means a county of the first, second, or third class."

And further amend in section 2, line 26 of the original bill, being section 2, line 9 of the printed bill, by inserting after the period a new sentence as follows "However, when the passenger is in possession of a round trip ticket, the service charge shall be collected only at the point of origin."

And as amended, do not pass.

That House Joint Resolution No. 23 do pass.

That House Bill No. 402 do pass.

That House Bill No. 360 do pass.

That House Bill No. 508 be amended in section 2 by adding after line 5, page 2 of the original bill, being line 18, page 2 of the printed bill, a new subsection as follows:

"(5) 'Strike' shall mean any work stoppage caused by the employees

of a health care facility as defined in section 2 of this act, that interferes with the operation of the health care facility or affects the care of patients in the health care facility."

Amend section 6, subsection (3), page 4 of the original bill, line 11, being page 4 of the printed bill, line 22, by deleting the period (.) at the end of such line and adding after the word "year" in said line the following "and until either the health care facility or an employee organization shall apply for a redetermination."

Amend the said bill by adding a new section following present section 6 of the original bill, reading as follows:

"Section 7. The board of health may:

"(1) Set the time and place for hearings for determination of the composition of appropriate units when requested to make such determination under subsection 2, section 4, or subsection 1, section 6 of this act.

"(2) Determine, on its own motion, by holding hearings or conducting such investigations as it thinks necessary, general classifications for health care facilities and appropriate units. When such determination has been made hereunder and when an application has been made by a health care facility or an employee organization for a specific determination as to it, the board may make such determination on the basis of such general classification. The health care facility or employee organization may, within thirty (30) days after notice to it of such determination, file a rqeuest for a hearing upon written petition which shall set forth the facts which it believes remove it from such general classification and hearing shall be held on such petition.

"(3) Adopt and promulgate rules and regulations as to times and places for hearing and notice thereof so as to provide adequate notice and opportunity to be heard to all interested parties; as to elections; and so as to carry into effect the provisions of this act."

And to renumber the following sections accordingly.

Further amend said bill by adding to presently numbered section 7 of the original bill, at line 16, page 4 of the original bill, being page 5, line 1 of the printed bill, after the word 'act" and before the period (.) the following: "or appeal from any determination by the board."

Amend the said section, page 4, line 19 of the original bill, being page 5, line 8 of the printed bill by inserting after the word "relief" and before the period (.) the following: ", or, on appeal, adjudicate whether the board has acted in abuse of discretion or upon arbitrary or discriminatory rules or regulations, in which event the court may reverse or modify such determination."

And further amend the said bill by adding a new section following present section 7 of the original bill, to be numbered consecutively, and reading as follows:

"Section (insert the proper number). It shall be unlawful for any employee of a health care facility as defined in section 2 of this act to participate in a strike if there is another strike in effect at another health care facility within a radius of 150 miles. Employees of a health care facility as defined in section 2 of this act or their duly elected representative must give the health care facility thirty (30) days written notice of any strike by them and must specify in the notice the day the strike is to begin."

And to renumber the following section consecutively.

And as amended, do pass.

permitted for cities under the law of Montana; provided however that the amount to be raised by any tax levy for county purposes must not exceed by more than five per cent (5%) the amount actually raised by the imposition of such tax levies in the immediately preceding fiscal year and the amount to be raised by tax levies within the special districts must not exceed by more than five per cent (5%) the amount actually raised by the imposition of tax levies within such district in the immediately preceding fiscal year.";

And further amend Section 64 of the original bill, page 51, lines 14 and 15 by striking the "." after the word "repealed" and adding the words and punctuation ", and all other acts or parts of acts in conflict herewith are hereby repealed."

And as amended, do pass.

That House Bill No. 349 do pass.

That the Committee rise and report progress and beg leave to sit again.

WAYRYNEN, Chairman

Report adopted.

Ferbuary 14, 1969

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 511, 454, 481, 436, 482, 483, 484, 485, 445, 291, 290, 206, 408, 465, 508, 360, 574, 402, 541 and House Joint Resolutions Nos. 16, 22, and 23.

BROWNLEE, Vice Chairman

The Speaker appointed the following Representatives to escort former Governor Aronson to the rostrum for an address to the Assembly: Representatives Pierce, Healy and Murphy.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 531 was passed by the following vote:

Ayes: Aspevig, Aubert, Brownlee, Burnett, Campbell, Cashmore, Clemow, Combs, Cranston, Dye, East, Fagg, Falkenstern, Fasbender, Feda, Feisthamel, Forester, Giesick, Glennen, Healy, Himsl, Jordan, Jurcich, Kvaalen, Lee, Loble, Lombardi, Lund, Lundgren, Marks, McCulloch, McGrath, Mehrens, Melcher, Newby, Payne, Perry, Pierce, Polich, Prevost, Rygg, Scott, Shively, E. B. Smith, Speare, Stratton, Swan, Warfield, Wayrynen, White, Whitney, Pat Williams, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 56.

Noes: Baeth, Bardanouve, Brand, Casey, Christensen, Egan, Eggebrecht, Fleming, Gerke, Gilligan, Gunderson, Hageman, Harlow, Harrison, Hemstad, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Mather, Murphy, Nichols, Nugent, Nyquist, Robbins, Romney, Schoonover, C. M. Smith, Spilde, Staigmiller, Steele, Teeple, Ulmer, Watt, Yardley, Zimmer. Total 38.

Paired: R. W. Holtz, no; Goan, aye; Hall, no; Woodard, aye. Total 4.

Absent or not voting: Asbjornson, Patrick, Spahr. Total 3.

Excused: Haines, M. E. Holtz, Stimatz. Total 3.

Cranston, Dye, East, Egan, Eggebrecht, Fagg, Falkenstern, Fasbender, Feda, Feisthamel, Fleming, Forester, Gerke, Giesick, Gilligan, Glennen, Goan, Gunderson, Hageman, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, Johnston, Jordan, Jurcich, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Loble, Lombardi, Lund, Lundgren, Marks, Mather, McCulloch, McGrath, Mehrens, Melcher, Murphy, Newby, Nichols, Nugent, Nyquist, Payne, Perry, Pierce, Polich, Prevost, Robbins, Romney, Rygg, Schoonover, Scott, Shively, C. M. Smith, E. B. Smith, Spahr, Speare, Spilde, Staigmiller, Steele, Stratton, Swan, Teeple, Ulmer, Warfield, Watt, Wayrynen, White, Pat Williams, W. G. Williams, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Patrick, Whitney. Total 2.

Excused: Haines, M. E. Holtz, R. W. Holtz, Stimatz, Woodard. Total 5.

House Bill No. 360 was passed by the following vote:

Ayes: Asbjornson, Aspevig, Aubert, Baeth, Bardanouve, Brand, Brownlee, Burnett, Campbell, Casey, Cashmore, Christiansen, Clemow, Combs, Cranston, East, Egan, Eggebrecht, Fagg, Falkenstern, Fasbender, Feda, Fleming, Forester, Gerke, Giesick, Gilligan, Glennen, Goan, Gunderson, Hageman, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, Johnston, Jurcich, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lee, Loble, Lombardi, Lund, Lundgren, Marks, Mather, McCulloch, McGrath, Mehrens, Melcher, Murphy, Newby, Nichols, Nugent, Nyquist, Payne, Pierce, Polich, Prevost, Robbins, Romney, Rygg, Schoonover, Scott, Shively, C. M. Smith, E. B. Smith, Spahr, Speare, Spilde, Staigmiller, Steele, Stratton, Swan, Teeple, Ulmer, Warfield, Watt, Wayrynen, White, Whitney, Pat Williams, W. G. Williams, Wolf, Worden, Zimmer, Mr. Speaker. Total 92.

Noes: Dye, Feisthamel, Jordan, Kolstad, Yardley. Total 5.

Absent or not voting: Patrick, Perry. Total 2.

Excused: Haines, M. E. Holtz, R. W. Holtz, Stimatz, Woodard. Total 5.

House Bill No. 508 was passed by the following vote:

Ayes: Asbjornson, Aspevig, Aubert, Baeth, Bardanouve, Brand, Brownlee, Campbell, Christiansen, Clemow, Cranston, Dye, East, Egan, Eggebrecht, Fagg, Fasbender, Feda, Fleming, Gerke, Gilligan, Glennen, Gunderson, Hageman, Hall, Harlow, Harrison, Healy, Johnston, Jordan, Jurcich, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Loble, Lombardi, Lund, Marks, Mather, McCulloch, McGrath, Mehrens, Melcher, Murphy, Newby, Nichols, Nugent, Nyquist, Payne, Perry, Polich, Prevost, Robbins, Romney, Schoonover, Scott, Shively, E. B. Smith, Spahr, Speare, Staigmiller, Steele, Stratton, Swan, Teeple, Warfield, Watt, Wayrynen, White, Pat Williams, W. G. Williams, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Burnett, Casey, Combs, Falkenstern, Feisthamel, Forester, Giesick, Goan, Hemstad, Himsl, Kvaalen, Pierce, Rygg, C. M. Smith, Spilde, Whitney. Total 16.

Paired: Cashmore, no; Stimatz, aye: R. Holtz, aye; Ulmer, no. Total 4.

Absent or not voting: Lundgren, Patrick. Total 2.

Excused: Haines, M. E. Holtz, Woodard. Total 3.

House Bill No. 541 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Brownlee, Burnett, Campbell, Casey, Christiansen, Clemow, Combs, East, Egan, Fagg, Falkenstern, Fas-

MESSAGES FROM THE SENATE

February 27, 1969

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in the House amendments to Senate Bill No. 88, and request the House to appoint a Free Conference Committee to confer with a like Committee from the Senate in said amendments.

The President appointed the following:

Senator Cotton, Chairman

Senator Sheehy

Senator Mathers

Respectfully,

WALTER H. MARSHALL,
Secretary of the Senate

February 27, 1969

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, titles and history agreed to, and the bills are herewith returned to the House.

House Bill No. 97, introduced by Cashmore.

House Bill No. 159, introduced by Feda, et al.

House Bill No. 303, introduced by Stratton, Payne.

House Bill No. 258, introduced by Feda, et al.

House Bill No. 279, introduced by Newby, et al.

House Bill No. 432, introduced by Loble by request.

House Bill No. 167, introduced by Nugent, et al.

House Bill No. 501, introduced by Fagg, Forester, Glennen.

House Bill No. 359, introduced by Perry, et al.

House Bill No. 481, introduced by Harlow, et al.

House Bill No. 508, introduced by Fasbender, et al.

House Bill No. 471, introduced by Gilligan, Stratton.

House Bill No. 511, introduced by Cranston, Harlow.

Respectfully,

WALTER H. MARSHALL,
Secretary of the Senate

February 27, 1969

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time, and concurred in, as amended, and the bills are herewith returned to the House for concurrence in Senate amendments.

at Osseo, Minnesota. They came to Montana to make their home the following year.

Mr. Watkins served as State Representative in 1951 and 1953. He was a member of Lodge 57 AF&AM, Montana Stockgrowers and Phillips County Grazing Association, where he served for a number of years, later being chosen to the Honorary Board. A member of Northeastern Montana Breeders' Association, he served as manager of the local Hereford bull sale for a number of years.

Survivors include his widow, Margaret, of Landusky; sons, Mark of Landusky and Charles A. of Graham, Washington; daughters, Mrs. Robert Ragsdale of Chowchilla, California; Mrs. Lloyd French of Graham, Washington; Mrs. Allen Wood, Caldwell, Idaho; Mrs. Glenn Kalczak, Landusky; a brother, a sister and 18 grandchildren.

Now, Therefore, Be It Resolved, that a copy of this Memorial be entered upon the Journal of the House, and that original copies thereof signed by the Speaker of the House, be transmitted to the surviving spouse or parents, and in the absence of either, to the oldest surviving child, hereinabove designated, and that an original copy of this Memorial be filed with the Historical Society of the State of Montana.

NECROLOGY COMMITTEE:

R. M. FEISTHAMEL, Chairman
JAMES H. BURNETT, Vice-Chairman
RUDOLPH W. POLICH
FRANK J. JURCICH
EDWARD J. AUBERT

ATTEST:

JAMES P. LUCAS,
Speaker of the House

WILLIAM MATHER,
Majority Floor Leader

JOHN C. HALL,
Minority Floor Leader

Report adopted.

March 1, 1969

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 497, 389, 388, 376, 355, 343, 334, 247, 136, and 294.

WOODARD, Chairman

March 1, 1969

Mr. Speaker: We your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 61, 152, 292, 314, 448, 508, 525, and House Joint Resolution No. 29.

WOODARD, Chairman

REPORTS OF STANDING COMMITTEES

March 1, 1969

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 do not pass.

NICHOLS, Chairman

Report adopted.

I have examined House Bill No. 178 introduced by me and find the same to be correct.

CAMPBELL

I have examined House Bill No. 484 introduced by me and find the same to be correct.

HARLOW

I have examined House Bill No. 137 introduced by me and find the same to be correct.

DYE

I have examined House Bill No. 284 introduced by me and find the same to be correct.

EAST

I have examined House Bill No. 277 introduced by me and find the same to be correct.

COMBS

I have examined House Bill No. 398 introduced by me and find the same to be correct.

WARFIELD

I have examined House Bill No. 328 introduced by me and find the same to be correct.

NUGENT

I have examined House Bill No. 351 introduced by me and find the same to be correct.

WATT

I have examined House Bill No. 437 introduced by me and find the same to be correct.

PAT WILLIAMS

I have examined House Bill No. 517 introduced by me and find the same to be correct.

FAGG

I have examined House Bill No. 454 introduced by me and find the same to be correct.

DYE

I have examined House Bill No. 508 introduced by me and find the same to be correct.

FASBENDER

I have examined House Bill No. 314 introduced by me and find the same to be correct.

CHRISTIANSEN

I have examined House Bill No. 292 introduced by me and find the same to be correct.

STRATTON

I have examined House Bill No. 152 introduced by me and find the same to be correct.

NUGENT

I have examined House Bill No. 61 introduced by me and find the same to be correct.

SWAN

I have examined House Joint Resolution No. 22 introduced by me and find the same to be correct.

AUBERT

I have examined House Bill No. 525 introduced by me and find the same to be correct.

GOAN

I have examined House Bill No. 494 introduced by me and find the same to be correct.

HARLOW

I have examined House Bill No. 482 introduced by me and find the same to be correct.

HARLOW

I have examined House Bill No. 485 introduced by me and find the same to be correct.

HARLOW

I have examined House Bill No. 40 introduced by me and find the same to be correct.

CASHMORE

I have examined House Joint Resolution No. 31 introduced by me and find the same to be correct.

HIMSL

The Speaker signed the following bills in open session, the titles having first been read: House Joint Resolutions Nos. 22, 29, 31. House Bills Nos. 376, 294, 343, 334, 136, 388, 497, 389, 355, 247, 503, 138, 404, 182, 448, 483, 445, 360, 301, 290, 164, 166, 179, 178, 484, 137, 284, 277, 398, 328, 351, 437, 517, 454, 508, 314, 292, 152, 61, 525, 494, 482, 485, and 40.

A motion was made by Woodard that the House adjourn until 9:00 a.m., March 5, 1969. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

THOMAS E. MOONEY, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 5, 1969

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except R. W. Holtz, Stimatz, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-eighth Legislative Day, find the same to be correct.

MATHER, Chairman
HALL

March 4, 1969

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 450.

WOODARD, Chairman

SIXTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 6, 1969

House convened pursuant to adjournment at 9:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except R. W. Holtz, Stimatz, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-ninth Legislative Day, find the same to be correct.

MATHER, Chairman
HALL

March 5, 1969

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 164, 517, 437, 351, 328, 398, 277, 182, 138, 404, 503, 247, 389, 355, 497, 136, 388, 334, 343, 376, 294, 301, 360, 290, 445, 483, 448, 40, 494, 485, 482, 525, 61, 152, 292, 314, 508, 454, 284, 137, 484, 178, 179, 166 and House Joint Resolutions Nos. 29, 31, 22, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 5:52 o'clock, p.m., delivered to the Governor for his approval.

WOODARD, Chairman

REPORTS OF STANDING COMMITTEES

March 6, 1969

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees, heretofore employed, are to be removed from the employment list effective March 6, 1969:

Committee Secretaries:	Miriam Jean Stock Vallencine M. Cole Rhea Cartwright Lucy Baker Jean Lloyd Marie Hanuick Hallie Weydemeyer Agnes Palmer Norma Rogness
Stenos:	Edna Mae Leonard Mary Ann Mockel Eva K. Seeley
Proofreaders:	Ellen Kreis Marjoria Zipperian Helen Dellwo Mary DeBourg Sylvia Biery
Chief Downtown Proofreader:	Ethel Bell
Typists:	Jean Tschirgi Edna Pippy

SENATE JOURNAL

OF THE

Forty-first Legislative Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 6, 1969 and
Ending March 6, 1969, and
Commencing in Extraordinary Session March 10, 1969, and
Ending March 19, 1969.

Thomas L. Judge, Lieutenant Governor
President of the Senate

Walter H. Marshall
Secretary

Irene Daly
Journal Clerk

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.

No.	Title of Bill	Page
	upon possession and use of tax-exempt property; providing exceptions thereto; fixing the rate of such tax and credit against tax; providing for assessment, collection and distribution of said taxes; providing penalties for failure to pay the tax and preserving constitutional exemption, and providing an effective date."	353, 360, 477, 602, 796, 828, 829, 844, 910.
506	Introduced by Polich, Stratton, Nyquist, Gilligan, Jordan, Jurcich, Kosena: A bill for an act entitled: "An act to amend Section 25-403, R.C.M. 1947, by increasing from three dollars ($3) per day to five dollars ($5) per day the compensation for jurors in courts not of record."	230, 232, 353, 477, 534, 571, 590, 672.
508	Introduced by Fasbender, Nyquist, Prevost, Brownlee, White, Eggebrecht, Gunderson, Perry, Warfield, Yardley, Speare, Stratton, Haines, Polich, Nichols, Feda: A bill for an act entitled: "An act providing for the adoption of orderly procedures for establishing desirable employment practices for registered professional and licensed practical nurses employed in health care facilities; establishing procedures for developing employment standards; providing rule making authority to the State Board of Health."	466, 473, 577, 669, 687, 689, 707, 890.
509	Introduced by Murphy, Rygg, Lundgren: A bill for an act entitled: "An act to amend Sections 16-4301 through 16-4313, R.C.M. 1947, relating to public hospital districts, providing for financing hospital facilities."	375, 381, 492, 572, 592, 608, 791, 801.
510	Introduced by Himsl, Polich, Rygg, East, Fasbender, Gilligan: A bill for an act entitled: "An act amending Section 92-413, R.C.M. 1947, to include unmarried full-time students in accredited schools under the age of twenty-one years in the definition of beneficiary; and amending Section 92-417, R.C.M. 1947, to include 'dependent' stepchildren within the definition of child; both definitions being in the workmen's compensation act."	230, 232, 353, 477, 501, 509, 526, 557.
511	Introduced by Cranston, Harlow: A bill for an act entitled: "An act to authorize the State Board for Vocational Education to lease and transfer buildings and/or lands financed in whole or in part by the state to school districts to be used for post-secondary vocational-technical education."	466, 471, 577, 670, 688, 689, 708, 791.

EDUCATION: House Bills Nos. 240 and 406.

PUBLIC HEALTH, WELFARE AND SAFETY: House Bills Nos. 382 and 234.

CONSTITUTION, ELECTIONS AND FEDERAL RELATIONS: House Bill No. 257.

TAXATION: House Bill No. 557.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following communications from the House were received and read:

February 14, 1969

Mr. President:

I am directed by the House of Representatives to inform your Honorable Body that the following House bills were this day read third time and passed, title and history agreed to, and the said bills are herewith transmitted to the Senate for concurrence:

House Bill No. 531, introduced by Goan
House Bill No. 372, introduced by Dye, Payne
House Bill No. 267, introduced by Harrison
House Joint Resolution No. 27, introduced by Bardanouve, Melcher
House Bill No. 521, introduced by Wayrynen, Harrison
House Bill No. 454, introduced by Dye, Goan
House Bill No. 436, introduced by Feisthamel, Dye
House Bill No. 481, introduced by Harlow, et al
House Bill No. 482, introduced by Harlow, et al
House Bill No. 483, introduced by Harlow, et al
House Bill No. 484, introduced by Harlow, et al
House Bill No. 485, introduced by Harlow, et al
House Bill No. 511, introduced by Cranston, Harlow
House Bill No. 445, introduced by Himsl, et al
House Bill No. 291, introduced by Nugent, et al
House Bill No. 290, introduced by Nyquist, et al
House Joint Resolution No. 16, introduced by Wayrynen, et al
House Joint Resolution No. 22, introduced by Aubert, et al
House Bill No. 206, introduced by Romney, et al
House Bill No. 408, introduced by Murphy
House Bill No. 465, introduced by Stratton, et al
House Joint Resolution No. 23, introduced by Giesick, et al
House Bill No. 402, introduced by Cranston, et al
House Bill No. 360, introduced by Fasbender, et al
House Bill No. 508, introduced by Fasbender, et al
House Bill No. 541, introduced by Bardanouve, et al

Sincerely yours,

THOMAS E. MOONEY
Chief Clerk

line flight property assessment; amending Sections 84-6401 and 84-6404, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 508, introduced by Fasbender, Prevost, Brownlee, White, Feda, Warfield, Yardley, Speare, Stratton, Polich, Haines, Nichols, Eggebrecht, Gunderson, Perry, Nyquist: A bill for an act entitled: "An act providing for the adoption of orderly procedures for establishing desirable employment practices for registered professional and licensed practical nurses employed in health care facilities: Establishing procedures for developing employment standards: Providing rule making authority to the State Board of Health." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 541, introduced by Bardanouve, Goan, Ulmer, Gunderson, Staigmiller, Fasbender, Himsl, Nichols: A bill for an act entitled: "An act providing for the imposition of a tax on the sale of all tobacco products, not including cigarettes." Referred to Committee on Taxation.

House Bill No. 138, introduced by Hall: A bill for an act entitled: "An act to increase the tax per thirty-one gallon barrel of beer from $1.50 to $6 and to add a new section immediately following Section 4-347, R.C.M. 1947 to distribute seventy-five percent of the revenue from the beer tax to incorporated cities and towns to be expended for state purposes such as law enforcement, maintenance of the transportation system, and public health; amending Sections 4-317, 4-324, and 4-347, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 460, introduced by McGrath, Patrick: A bill for an act entitled: "An act to authorize the mayor and commission plan of government for the city-county municipality by providing for the merger into a single municipal corporation of the corporate existence and government of any county in the state and of all cities and towns situated therein, establishing executive, legislative and judicial branches of government therefor, and defining the powers thereof, and repealing Sections 11-3401, 11-3402, 11-3403, 11-3404, 11-3405, 11-3406, 11-3407, 11-3408, 11-3409, 11-3410, 11-3411, 11-3412, 11-3413, 11-3414, 11-3415, 11-3416, 11-3417, 11-3418, 11-3419, 11-3420, 11-3421, 11-3422, 11-3423, 11-3424, 11-3425, 11-3426, 11-3427, 11-3428, 11-3429, 11-3430, 11-3421, 11-3432, 11-3433, 11-3434, 11-3435, 11-3436, 11-3437, 11-3438, 11-3439, 11-3440, 11-3441, 11-3442, 11-3443, 11-3444, 11-3445, 11-3446, 11-3447, 11-3448, 11-3449, 11-3450, 11-3451, 11-3452, 11-3453, 11-3454, 11-3455, 11-3456, 11-3457, 11-3458, 11-3459, 11-3460." Referred to Committee on Local Government.

House Bill No. 349, introduced by East, Lucas, Glennen, Feisthamel, Brownlee: A bill for an act entitled: "An act to amend Sections 87-103, 87-104, 87-106 and 87-109, R.C.M. 1947, which sections are a part of the unemployment compensation law, by providing for new bracketing in the determination of high-quarter wages in the benefit schedule and increasing minimum qualifying wages; increasing the maximum weekly benefit amount; reducing duration by the number of weeks equal to the number of weeks of disqualification; increasing the disqualification for leaving work without good cause attributable to the employment; increasing the maximum employer tax rate from 2.7 per centum to 3.1 per centum by adding new individual tax rates of 2.9 per centum and 3.1 per centum; increasing the average annual employer tax rate on taxable payrolls from 1.5 per centum to 1.6 per centum; requiring notice to employer of benefit claim before charging his account; deleting language no longer applicable; and providing effective dates." Referred to Committee on Commerce and Labor.

BUSINESS ON SECOND READING

Upon motion of Senator Mahoney, duly carried, the Senate resolved itself into a Committee of the Whole for consideration of Business on Second Reading.

At the request of the President, and without objection, the following committees were granted seven additional days to consider the following bills:

Finance and Claims: House Bills Nos. 84 and 85.

Judiciary: House Bills Nos. 109, 279, 447, 360 and 290.

Highways and Transportation: House Bills Nos. 344, 488 and 372.

Commerce and Labor: House Bill No. 93.

State Administration: House Bills Nos. 206, 511, House Joint Resolutions Nos. 23, 22 and 16.

Education: House Bills Nos. 240, 485, 484, 483, 482, 481.

Public Health, Welfare and Safety: House Bills Nos. 382 and 508.

Taxation: House Bills Nos. 557, 541, 445, 436, 454, 531, 138.

Local Government: House Bills Nos. 465 and 460.

MESSAGES FROM THE GOVERNOR

The following communication from the Governor was received and read:

February 21, 1969

Honorable Thomas Judge
President of the Senate
State Capitol
Helena, Montana

Sir:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos. 79, 108, 109, 129, 142, 146, 297, 50, 76, and 80;

Senate Joint Resolutions Nos. 17 and 19.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following communications from the House were received and read:

February 20, 1969

Mr. President:

I am directed by the House of Representatives to inform your Honorable Body that the House this day requests the Senate to return Senate Bill No. 202, introduced by Sheehy, et al.

Sincerely yours,

THOMAS E. MOONEY
Chief Clerk

February 21, 1969

Mr. President:

I am directed by the House of Representatives to inform your Honor-

ing had under consideration House Bill No. 481, respectfully report as follows: That House Bill No. 481 be concurred in.

LYNCH
KEENAN
KLINDT
GILFEATHER

Motion of Senator Cotton for adoption of the Majority report on House Bill No. 481.

Substitute motion of Senator Lynch for adoption of the Minority report on House Bill No. 481.

Upon motion of Senator Rostad, duly carried, the previous question was ordered.

Upon request of Senator Lynch and five (5) other Senators, a Call of the Senate was ordered.

The President thereupon ordered that the doors of the Senate be closed and that no members be permitted to leave the Senate Chamber while the Call of the Senate was in effect.

Progress having been shown, upon motion of Senator Lynch, duly carried, the Call of the Senate was dispensed with.

Substitute motion of Senator Lynch that the Minority report on House Bill No. 481 be adopted, carried by the following roll call vote requested by Senator Lynch and two (2) other Senators:

Ayes: Anderson, Bennett, Bertsche, Broeder, Cochrane, Deschamps, DeWolfe, Dzivi, Flynn, Folsom, Gilfeather, Goodheart, Graham, Hafferman, Haughey, Hazelbaker, Hibbard, Keenan, Klindt, Lynch, Mahoney, McDonald, McGowan, McKeon, Mitchell, Northey, Reardon, Reber, Rehberg, Rosell, Selstad, Sheehy, Shugrue, Siderius, Sparks, Turnage. Total 36.

Noes: Bollinger, Boylan, Brownfield, Cotton, Groff, James, Lehrkind, Lyon, Mackay, Manning, Mathers, Moritz, Moore, Nees, Rostad, Rugg, Stein, Stephens, Thiessen. Total 19.

Absent and not voting: None.

Excused: None.

(Including the following pairs: Flynn, aye, Rugg, no and Lynch, aye, and Stein, no.)

Mr. President: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 be amended as follows:

Amend Section 3, line 9, page 4 of the original bill, being Section 3, line 27, page 4 of the printed bill after the words and punctuation "home administrator." by omitting the following: "Provided further, however, that persons meeting the standards of good character and sound physical and mental health who have been approved by the board as an 'administrator' and who have served in such capacity for a period of at least five (5) years within the ten (10) year period immediately preceeding, shall likewise be granted a license as a 'nursing home administrator'.";

And as so amended, be concurred in.

BOLLINGER, Vice-Chairman

Report adopted.

Mr. President: We, your Committee on Public Health, Welfare and

Safety, having had under consideration House Bill No. 508, respectfully report as follows: That House Bill No. 508 be concurred in.

BOLLINGER, Vice-Chairman

Report adopted.

Mr. President: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 be concurred in.

BOLLINGER, Vice-Chairman

Report adopted.

Mr. President: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 be amended as follows:

Amend Section 1, page 1, lines 19, 20, and 21 of the original bill following the word "motorist" by omitting the following material "where a fence is constructed adequately, stock passes shall be provided to make land on either side of the highway usable." and inserting in lieu thereof the following material "where a fence is constructed, adequate stock gates or stock passes, as necessary, shall be provided to make land on either side of the highway usable for livestock purposes.";

And as so amended, be concurred in.

MANNING, Chairman

Report adopted.

Mr. President: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 16, respectfully report as follows: That House Joint Resolution No. 16 be amended as follows:

Amend the title in line 7 of the title, page 1, of the engrossed bill, being line 3, page 1 of the printed bill following the word "that" by inserting the words "the facilities of the";

Further amend the title in line 8, page 1, of the engrossed bill, being line 3, page 1 of the printed bill following the word "should" by inserting the words "be fully utilized";

Further amend the title in line 8, page 1, of the engrossed bill, being lines 3, and 4, page 1, of the printed bill by omitting the following words "continue to perform its present function";

Further amend the first resolve, lines 5 and 6, page 3 of the engrossed bill, being lines 48 and 49, page 3 of the printed bill following the word "by" by omitting the wording "continuing to maintain the Galen State Hospital to perform its present function" and inserting in lieu thereof the following words "the full utilization of the facilities of the Galen State Hospital.";

And as so amended, be concurred in.

JAMES, Chairman

Report adopted.

Mr. President: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 22, respectfully report as follows: That House Joint Resolution No. 22 be concurred in.

JAMES, Chairman

Report adopted.

Mr. President: We, your Committee on State Administration, having

able Body that the following Senate Bills were this day not concurred in and are herewith returned to the Senate:

Senate Bill No. 45, introduced by Mitchell, et al

Senate Bill No. 116, introduced by Lehrkind, et al

Senate Bill No. 68, introduced by Dzivi, et al

Senate Bill No. 256, introduced by Sheehy, McKeon.

Sincerely yours,

THOMAS E. MOONEY
Chief Clerk

MOTIONS AND RESOLUTIONS

Having voted on the prevailing side, upon motion of Senator Bollinger, duly carried, the Senate reconsidered its action taken on House Bill No. 359.

Upon motion of Senator Bollinger, duly carried, House Bill No. 359 was placed on Third Reading.

Upon request of Senator Mahoney and five (5) other Senators, a Call of the Senate was ordered.

The President thereupon ordered that the doors of the Senate be closed and that no members be permitted to leave the Senate Chamber while the Call of the Senate was in effect.

Progress having been shown, upon motion of Senator Mahoney, duly carried, the Call of the Senate was dispensed with.

BUSINESS ON SECOND READING

Upon motion of Senator Mahoney, duly carried, the Senate resolved itself into a Committee of the Whole for the consideration of Business on Second Reading.

Senator Rostad in the Chair. Committee arose.

Senate resumed. President Judge presiding.

The Committee of the Whole submitted the following report:

Mr. President: We, your Committee of the Whole, having had under consideration Business on Second Reading, recommend as follows:

That House Amendments to Senate Bill No. 88 be not concurred in.

That consideration of House Bill No. 404 be passed.

That House Bill No. 274 be concurred in.

That House Bill No. 290 be concurred in.

That House Bill No. 499 be concurred in.

That House Bill No. 199 be concurred in.

That House Bill No. 481 be concurred in.

That House Bill No. 382 be concurred in.

That House Bill No. 508 be concurred in.

That House Bill No. 471 be concurred in.

That House Bill No. 437 be concurred in.

were suspended and House Bill No. 382 was placed on Third Reading for consideration this day.

Upon motion of Senator Mahoney, unanimously carried, the joint rules were suspended and House Bill No. 508 was placed on Third Reading for consideration this day.

Upon motion of Senator Mahoney, unanimously carried, the joint rules were suspended and House Bill No. 471 was placed on Third Reading for consideration this day.

Upon motion of Senator Mahoney, unanimously carried, the joint rules were suspended and House Bill No. 437 was placed on Third Reading for consideration this day.

Upon motion of Senator Mahoney, unanimously carried, the joint rules were suspended and House Bill No. 511 was placed on Third Reading for consideration this day.

At the request of Senator Mahoney, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

At the request of the President, and without objection, the following committees were granted seven additional days to consider the following bills:

EDUCATION: House Bill No. 540

TAXATION: House Bills Nos. 558, 559, 561, 562, 563, 564, 565, 566, 567 and 568.

The following committees submitted the following reports:

Mr. President: We, your Committee on Legislative Administration respectfully report as follows: That the period of employment of the following attache of the Senate be terminated as of the close of business February 25, 1969:

Thomas Foy.....Typist

GRAHAM, Chairman

Report adopted.

Mr. President: We, your Committee on State Administration, having had under consideration House Bill No. 174, respectfully report as follows:

That House Bill No. 174 be amended as follows:

Amend page 9, Section 13, line 25 of the original bill, being Section 13, page 9, line 22 of the printed bill, by inserting after the period following the word "violated" the following: "Provided that for those employments or places of employment for which no code has been adopted and where it is found by the safety director that such place of employment is in such an unsafe condition as to constitute an immediate menace to the life or safety of the workmen there employed, the safety director may order that portion of the plant, installation or facility as is directly and immediately affected by such unsafe condition closed for a period not to exceed four (4) hours unless such period be extended by order of the board.";

And as so amended, be concurred in.

JAMES, Chairman

Report adopted.

Mr. President: We, your Committee on State Administration, having

Rugg, Selstad, Siderius, Sparks, Stein, Stephens, Thiessen, Turnage. Total 46.

Noes: Bennett, Boylan, Broeder, Dzivi, Gilfeather, Mackay, Moritz, Sheehy, Shugrue. Total 9.

Absent and not voting: None.

Excused: None.

House Bill No. 481, having been read three several times, was concurred in by the following roll call vote:

Ayes: Anderson, Bertsche, Bollinger, Boylan, Cochrane, Cotton, Deschamps, DeWolfe, Dzivi, Flynn, Folsom, Gilfeather, Goodheart, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Keenan, Klindt, Lehrkind, Lynch, Lyon, Mahoney, Manning, McDonald, McGowan, McKeon, Mitchell, Moore, Northey, Reardon, Reber, Rehberg, Rosell, Selstad, Sheehy, Shugrue, Siderius, Sparks, Stein, Turnage. Total 43.

Noes: Bennett, Broeder, Brownfield, James, Mackay, Mathers, Moritz, Nees, Rostad, Rugg, Stephens. Total 11.

Absent and not voting: Thiessen. Total 1.

Excused: None.

House Bill No. 382, having been read three several times, was concurred in by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Bollinger, Boylan, Broeder, Brownfield, Cochrane, Cotton, Deschamps, DeWolfe, Dzivi, Flynn, Folsom, Gilfeather, Goodheart, Graham, Haughey, Hazelbaker, Hibbard, James, Keenan, Klindt, Lehrkind, Lynch, Lyon, Mackay, Mahoney, Manning, Mathers, McDonald, McKeon, Mitchell, Moritz, Moore, Nees, Northey, Reardon, Reber, Rehberg, Rosell, Rostad, Selstad, Sheehy, Shugrue, Siderius, Sparks, Stein, Stephens, Thiessen, Turnage. Total 51.

Noes: Groff, Hafferman, McGowan, Rugg. Total 4.

Absent and not voting: None.

Excused: None.

House Bill No. 508, having been read three several times, was concurred in by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Bollinger, Boylan, Broeder, Brownfield, Cochrane, Cotton, Deschamps, DeWolfe, Dzivi, Flynn, Folsom, Gilfeather, Goodheart, Graham, Groff, Hafferman, Hazelbaker, Hibbard, James, Keenan, Klindt, Lehrkind, Lynch, Lyon, Mackay, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, Moritz, Moore, Nees, Northey, Reardon, Reber, Rehberg, Rosell, Rostad, Rugg, Sheehy, Shugrue, Siderius, Sparks, Stein, Stephens, Thiessen, Turnage. Total 52.

Noes: Haughey, Selstad. Total 2.

Absent and not voting: Mitchell. Total 1.

Excused: None.

House Bill No. 471, having been read three several times, was concurred in by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Bollinger, Boylan, Cochrane, Cotton, Deschamps, DeWolfe, Dzivi, Flynn, Gilfeather, Goodheart, Graham,

MOTIONS AND RESOLUTIONS

Upon motion of Senator Mahoney, duly carried, the Senate reconsidered its action in adopting the conference committee report on Senate Amendments to House Bill No. 344.

Upon motion of Senator Groff, duly carried, the conference committee on Senate Amendments to House Bill No. 603 was labeled as a Free Joint Conference Committee.

Upon motion of Senator Groff, duly carried, the Senate reconsidered its action taken in adopting an adverse committee report on House Bill No. 592.

Upon motion of Senator Groff, duly carried, House Bill No. 592 was re-referred to the Committee on Finance and Claims.

At this time, after titles having been read, the President signed in open session House Bills Nos. 294, 376, 343, 334, 136, 388, 497, 355, 389, 247, 503, 404, 138, 182, 277, 398, 328, 351, 437, 517, 164, 166, 178, 179, 484, 137, 284, 454, 508, 114, 292, 152, 61, 525, 482, 485, 494, 40, 448, 483, 445, 290, 360 and 301 and House Joint Resolution Nos. 22, 31 and 29.

At the request of Senator Mahoney, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

The Committee on Bills submitted the following report:

Mr. President: We, your Committee on Bills, to whom were referred Senate Bills Nos. 9 and 10, beg leave to report same back correctly enrolled.

DeWOLFE, Chairman

Report adopted.

Mr. President: I have examined Senate Bill No. 9 introduced by me and find the same to be correct.

BROWNFIELD

Mr. President: I have examined Senate Bill No. 10 introduced by me and find the same to be correct.

BROWNFIELD

At this time, after titles having been read, the President signed in open session Senate Bills Nos. 9 and 10.

REPORTS OF SELECT COMMITTEES

The following Joint Conference Committee submitted the following report:

Mr. President and Speaker of the House:

We, your joint Senate and House Conference Committee on House Amendments to Senate Bill 31, beg leave to report as follows:

That we met this day and considered House Amendments to Senate Bill 31.

That the Joint Conference Committee has failed to agree on the House amendments to Senate Bill 31, and request the President of the Senate and the Speaker of the House dissolve this committee and that a new